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**DISCLOSURE ADVISORY**

For the person named above, whom the People may call as a witness, please be advised as follows.

1. Omar Elsayed is a named defendant in the civil action Curtis Darby v. the City of New York, et al., 14CV04078, filed in U.S. District Court for the Eastern District of New York, involving an incident that occurred on October 25, 2012.
2. Omar Elsayed is a named defendant in the civil action Joquasha Rosado an Infant BY Mother and Natural Guardian Cyrstal Burns and Crystal Burns, Individually v. the City of New York, et al., 101 578/2014, filed in Richmond Supreme Court involving an incident that occurred on October 9, 2013.
3. The New York City Civilian Complaint Review Board (CCRB) has deemed substantiated the allegations that Omar Elsayed, on or about February 2, 2014, committed the violations of Abuse – Frisk and Discourtesy – Word. The allegations arose after Omar Elsayed and other members of the service, watching from a rooftop post, observed two men allegedly packing narcotics inside an apartment. When they later intercepted the two men leaving the building with another man who had entered to visit them, they stopped all three men (as directed by the Sergeant), and Officer Elsayed allegedly said to one of the men “You know me, I don't treat you like fucking shit.” The statement was captured on video. He also frisked another one of the men (and other officers frisked and/or searched the others). No narcotics were recovered on them. The CCRB concluded that the frisks were not justified by the observation of apparent narcotics packaging and that the officers were inconsistent in their description of bulges that allegedly justified the frisks. The CCRB accordingly concluded that there was no reasonable suspicion to warrant the frisks.

This matter was referred to the New York Police Department (NYPD) which issued charges and specifications alleging that at approximately 0035 hours while assigned to the 121st Precinct and on duty, in the vicinity of 40 Roxbury Street, Richmond County, Omar Elsayed: (A) abused his authority as a member of the New York City Police Department in that he frisked [a person] without sufficient legal authority. PG 212-11, Page 1, Paragraph 2 - Stop & Frisk; and (B) was discourteous to [a person] in that he stated [to him] in sum and substance: You Know Me, I Don't Treat You Like Fucking Shit. Omar Elsayed pled guilty to the Charges and Specifications.

4. The CCRB has deemed substantiated the allegations that Omar Elsayed, on or about March 11, 2014, committed the violations of Abuse – Vehicle Search and Other

Misconduct – Failure to Prepare a Memo Book Entry. This matter arose out of the stop of a car carrying four people, one of whom had been stabbed in the leg. Omar Elsayed searched at least the grabbable area in the vehicle looking for a gun that had been used in a shooting that had just happened.

Two groups of police officers had responded to a “shots fired” radio call and one witness had told police that the shooter came from a particular house. When the four people walked from that house into a car, the officers followed, stopped, and searched that car. The occupants were frisked and a different officer recovered four decks of heroin on the driver’s person. When they discovered that one of the occupants was wounded, they called an ambulance for him. The car was ultimately vouchered. Omar Elsayed had no memo book entries about the matter.

5. The CCRB has deemed substantiated the allegations that Omar Elsayed, on or about April 9, 2014, committed the violation of Other Misconduct – Failure to Prepare a Memo Book Entry. This occurred in connection with a vehicle search.
6. The CCRB has deemed substantiated the allegations that Omar Elsayed, on or about October 18, 2014, committed the violation of Abuse – Premises Entered and/or Searched. The violations arose out of an encounter in the hallway outside a Staten Island apartment at about 7:13 p.m. The complainant alleged that as he was in the hallway outside his girlfriend’s apartment throwing away the garbage, officers came out of the staircase, asked if he lived there, asked for his identification, and then forced their way into the apartment when he retreated back into the apartment. According to Officer Elsayed, his partner saw the complainant, who placed his hands in his pockets as he saw the officers, declined to provide identification, and pushed Officer Elsayed out of the way in order to retreat into the apartment. Per Officer Elsayed, when he attempted to use his foot to block the apartment door from closing, the complainant punched him in the face. Because the CCRB concluded that exigent circumstances did not warrant entry into the apartment, the charge against Omar Elsayed of Abuse – Premises entered and/or searched was substantiated because his foot crossed the threshold as he attempted to keep the door from being closed.
7. The CCRB has deemed substantiated the allegations that Omar Elsayed, on or about December 19, 2014, committed the violation of Other Misconduct – Failure to Prepare a Memo Book Entry
8. The CCRB has deemed substantiated the allegations that Omar Elsayed, on or about March 4, 2019, committed the violations of Other Misconduct – Failure to Prepare a Memo Book Entry and Other Misconduct – Failure to Complete an Aided Report. This matter arose out of an incident in front of a Third Avenue building in the 9th Precinct. At 1 pm, Sergeant Elsayed and additional officers responded to an encampment that the complainant had created in front of an NYU dorm building on NYU property. When the complainant refused to leave, the complainant was forcibly removed to the hospital for psychiatric observation. The CCRB found that Sergeant Elsayed failed to make a memo book entry about the matter and failed to complete an Aided Report.

The hospital medicated the complainant and diagnosed him with an adjustment mood disorder.

9. The NYPD has deemed substantiated an allegation that Omar Elsayed committed the violation of Driver License Suspended/Revoked/Expired. This allegation arose out of an insurance lapse that caused the suspension of his driver's license as of July 8, 2019. He was notified of the suspension on or about July 13, 2019, and the matter was resolved no later than July 29, 2019.
10. As of October 13, 2020, the CCRB has pending against Omar Elsayed the allegations of Abuse – Question, Abuse – Vehicle Search, and Abuse – Vehicle Stop. This allegation was about an incident on November 6, 2019. No further information is available at this time.

Various publicly available websites and databases contain disciplinary information for certain law enforcement officers. Information in such databases about this officer is not necessarily included in this advisory.

Any information herein regarding civil lawsuits against an officer is not necessarily a complete list of civil lawsuits in which that officer is a defendant.

Allegations of misconduct that have not been substantiated and are not pending (including, but not limited to, findings of unsubstantiated, unfounded, and exonerated), and allegations of technical infractions, are not subject to disclosure and are not included in this advisory.

The decision to include information in this advisory does not represent a conclusion by the People that it is required to be disclosed.

The People reserve the right to oppose or move to limit the use of any information included herein or disclosed in the future.

If you have any questions, please contact the Assistant District Attorney assigned to the case on which you are receiving this advisory.

Date: October 21, 2020